



Practitioner's Docket No. U-011415-0

AF/ #
GP 1645 #22

**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RECEIVED

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In re application of: John WALKER, et al

Serial No.: 08/913,430

Group No.: 1645

Filed: September 12, 1997

Examiner: R. Swartz

For: ANTIGEN COMPOSITION AGAINST MYCOPLASMA

**ATTENTION: GROUP DIRECTOR
Assistant Commissioner for Patents
Washington, DC 20231**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER
MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE
BUT BEFORE PAYMENT OF ISSUE FEE (37 CFR 1.97(d))**

NOTE: An information disclosure statement shall be considered by the Office if filed after the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee, provided the statement is accompanied by: (i) a statement as specified in paragraph (e) of section 1.97, (ii) a petition requesting consideration of the information disclosure statement, and (iii) the petition fee set forth in § 1.17(i).

NOTE: If the information disclosure statement that contains the items required by 37 CFR 1.97(d) is filed before, or simultaneously with, the payment of the issue fee, then it will be considered. See Notice of April 20, 1992 (1138 O.G. 37-41, 40) and 37 CFR 1.97(d).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Date: October 20, 2000

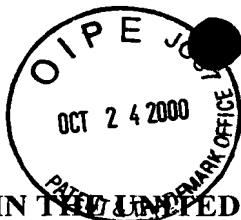
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- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

CLIFFORD J. MASS

(Type or print name of person certifying)



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Commissioner Patents and Trademarks
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INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants draw the attention of the Examiner to the attached translation of a Search Report issued by the Japanese Patent Office in the corresponding Japanese application. The Japanese report issued August 2, 2000. The references cited therein which are not attached hereto have previously been cited by way of English equivalents.

PTO Form 1449 is attached with reference copies.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, DC 20231

CLIFFORD J. MASS

Type or print name of person mailing paper)

Date: October 20, 2000

(Signature of person mailing paper)

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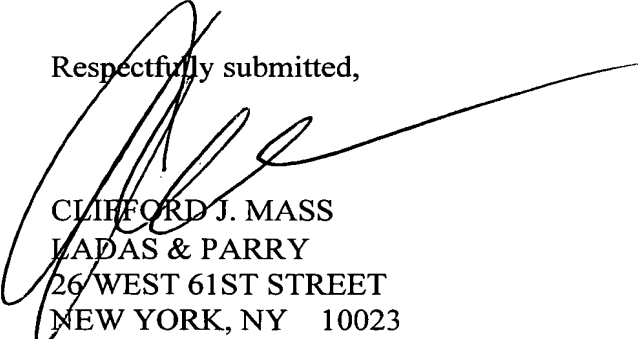
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Statement for Information Disclosure Statement Under 37 CFR 1.97(e)

In connection with this Information Disclosure Statement, the undersigned states on behalf of Applicant that each item of Information contained in the Information Disclosure Statement with the exception of U.S. Patent, 5,240,706 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of the Information Disclosure Statement (see 37 CFR Section 1.97(e)(1)). U.S. Patent 5,240,706 is an English equivalent of the Japanese publication (JP291271/90) that is submitted herewith. Applicants do not have an English translation of the Japanese reference readily available and the U.S. patent is cited as an English equivalent thereof (see O.G. "Advance Notice of Change to MPEP Section 609" of April 5, 1994).

The person making this statement is the practitioner who signs below on the basis of the information supplied by an individual designated in Section 1.56(c) and in the practitioner's file.

Respectfully submitted,



CLIFFORD J. MASS
LADAS & PARRY
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NEW YORK, NY 10023
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**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

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1. The information disclosure statement transmitted herewith is being filed *after* a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

STATEMENT, PETITION AND FEE

2. In accordance with the requirements of 37 CFR 1.97(d):

- A. Accompanying this transmittal is a statement, as specified in 37 CFR 1.97(e).
- B. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 CFR 1.97(d)(2).
- C. Applicant submits the petition fee set forth in § 1.17(i) (\$130.00).

NOTE: "The petition should be directed to the Group Director of the examining group handling the application. The petition need do nothing more than request consideration of the information being submitted." Notice of April 20, 1992 (1138 O.G. 37-41, 40).

FEE DUE

3. Petition fee due (§ 1.17(i)): \$130.00

METHOD OF PAYMENT OF FEE

4.

- ☒ Attached is a check for \$130.00.
- ☐ Charge Account _____ \$130.00.
- ☐ A duplicate of this petition is attached.
- ☒ If any additional petition fees are due, please charge Account 12-0425.

SIGNATURE OF PRACTITIONER

CLIFFORD J. MASS

(Type or print name of practitioner)

Reg. No. 30,086

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d/o Ladas & Parry
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